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subpoena made on  
Nov 17, 2004, per FedEx  
(re discussion today with  
Mr Y.C. Garg)

Please confirm receipt.

Eli Noam

212 864 7243 Fox

enoam2@yahoo.com

**FedEx**  
600 WEST 116TH ST  
NEW YORK, NY 10027

Location: FLUE  
Device ID: FLUE-POS1  
Employee: 257767  
Transaction: 500023883404

**PRIORITY OVERNIGHT**  
847021153807 0.45 lb (S) \$16.87  
Shipment subtotal: \$16.87  
Total Due: \$16.87  
(A) CreditCard: \$16.87  
\*\*\*\*\*68000

M = Weight entered manually  
S = Weight read from scale  
T = Taxable item

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(800)463-3339

November 17, 2004 8:51:07 PM

# Terms

## Definitions

Federal Express and your re

## Agreement

you agree to. Service Guide to these terms the package, and this Airbill authorized to

## Responsibility

You are responsible for properly filling packages and no our best as and/or an estimate determined by

## Responsibility

payment instructions all delivery cost your package to

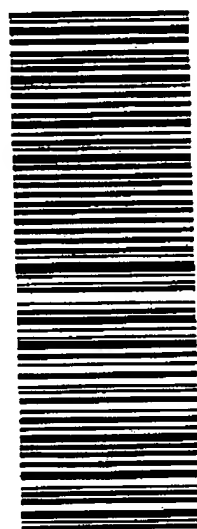
## Limitations of Not Assumed

• Our liability is lesser of you a higher value actual loss in charge for a declared value liability insurance

• In any event, we will not be liable for any damage, whether direct, incidental, special, or consequential, in excess of the declared value of a shipment, whether or not Federal Express had knowledge that such damages might be incurred, including but not limited to loss of income or profits.

value of the package(s) lost or damaged, but may not exceed the maximum allowable declared value(s) or the total declared value, whichever is less. You are responsible for proving the actual loss or damage.

**Filing A Claim** YOU MUST MAKE ALL CLAIMS IN WRITING and notify us of your claim within strict time limits set out in the current Service Guide.



**FedEx**  
22202 -NY-US  
8470 2115 3807  
PRIORITY OVERNIGHT  
THU  
11NOV04  
15NOV04  
A1

at Service department at 12 to report a claim, however, you

timely us of your claim, you must not have about it. We aren't a paid you have paid all you may not deduct the amount

your package without noting any and, we will assume the package son. For us to process your claim shipping cartons and packing

you at our option, open and inspect as you give them to us

reserve the right to reject a not would be likely to cause delay of equipment or personnel, or if law; or if the shipment would if or our current Service Guide.

SERVICE IS NOT AVAILABLE WITH on is required, please use a

cluded: A federal excise stamp Revenue Code on the air service, if any, is paid by us.

in the event of untimely delivery, refund or credit all transportation charges. See current Service Guide for more information

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November 17, 2004 8:51:07 PM

**FedEx** US Airbill  
Express

FedEx  
Tracking  
Number

847021153807

1 From *Please print and print here*  
Date 11/17/04 Sender's FedEx Account Number  
Sender's Name ELI NOAM Phone 212 864 3776  
Company  
Address 450 Riverdale Dr. #51  
City New York, NY State NY ZIP 10027

2 Your Internal Billing Reference *OPTIONAL*

3 To  
Recipient's Name US Patent & Trade mark Office  
TC/A.U.3625, attn. Y.C. Garg  
Company  
Address 220 20th Street South, South Customer  
Crystal Plaza 2, Lobby Room 1803  
City Arlington, VA State VA ZIP 22202

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4a Express Package Service  
☐ FedEx Priority Overnight  
☐ FedEx Standard Overnight  
☐ FedEx 2Day  
☐ FedEx Express Saver  
☐ FedEx Envelope (not available for business day)

4b Express Freight Service  
☐ FedEx 1Day Freight  
☐ FedEx 2Day Freight  
☐ FedEx 3Day Freight

5 Packaging  
☐ FedEx Envelope  
☐ FedEx Pak  
☐ FedEx Box  
☐ FedEx Tube  
☐ Other

6 Special Handling  
☐ SATURDAY Delivery  
☐ HOLD Waiting at FedEx Location  
☐ HOLD Saturday at FedEx Location  
☐ Dry Ice  
☐ Cargos Aircraft Only

7 Payment *BY AIR*  
☐ Sender  
☐ Recipient  
☐ Third Party  
☒ Credit Card  
☐ Cash/Check

Total Packages 1 Total Weight 45 Total Declared Value \$ 0.00

8 Sign to Authorize Delivery Without a Signature  
By signing you authorize us to deliver this shipment without obtaining a signature and agree to indemnify and hold us harmless from any resulting claims.

467

ELI M. NOAM  
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 US Patent & Trademark Office  
 Four hundred and twenty  
 THE BANK OF NEW YORK  
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 \$150.00  
 11/15/50  
 11/15/50

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0561-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

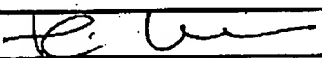
Total Number of Pages in This Submission

Application Number	09   655,920
Filing Date	Sept 5, 2000
First Named Inventor	ELI NOAM
Art Unit	Y.C. GARG
Examiner Name	3625
Attorney Docket Number	

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final 22 <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Response to Office Action whose cover page is enclosed		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name			
Signature			
Printed name	ELI NOAM		
Date	Nov 17, 2004	Reg. No.	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

## Complete if Known

Application Number 09/655,520  
 Filing Date Sept 5, 2000  
 First Named Inventor ELI NOAM  
 Examiner Name Y. C. GARG  
 Art Unit 3625  
 Attorney Docket No.

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:

Deposit Account Number  
 Deposit Account Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims Independent Claims Multiple Dependent  
 Extra Claims -20\*\* = X Fee from below X Fee Paid

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	490-
1254 1,630	2254 785	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1463 1,370	2463 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(a)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (Times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 490

## SUBMITTED BY

Name (Print/Type) ELI M. NOAM

Registration No. (Attorney/Agent)

(Complete if applicable)

Telephone 212-864-3776

Signature

Date

Nov 17, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Office Action Summary**

Application No.

09/655,520

Applicant(s)

NOAM, ELI M.

Examiner

Yogesh C Garg

Art Unit

3625

*NY*

**- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -**  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 January 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 8-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f):
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-848)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

I hereby certify that this correspondence is being deposited with FedEx  
express delivery service addressed to: "Commissioner of Patents and  
Trademarks, attention examiner Yogesh C. Garg, Art Unit 3625  
Alexandria VA 22313-1450" on November 17, 2004.

Eli M. Noam



Appl. No. : 09/655,520  
Applicant : Eli M. Noam  
Filed : September 5, 2000  
TC/A.U. : 3625  
Examiner : Yogesh C. Garg

Commissioner For Patents  
P.O. Box 1450  
Alexandria VA 22313-1450